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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2610 OF 2006
Rev.P.B.Amolik ... Petitioner
versus
Rt.Rev.Bishop ... Respondent

WRIT PETITION NO.2611 OF 2006
Rev.P.B.Amolik ... Petitioner
versus
Rt.Rev.Bishop ... Respondent

WRIT PETITION NO.2612 OF 2006
Rev.P.B.Amolik ... Petitioner
versus
Rt.Rev.Bishop ... Respondent

WRIT PETITION NO.2613 OF 2006
Rev.P.B.Amolik ... Petitioner
versus
Rt.Rev.Bishop ... Respondent

WRIT PETITION NO.2614 OF 2006
Rev.P.B.Amolik ... Petitioner
versus
Rt.Rev.Bishop ... Respondent

WRIT PETITION NO.2615 OF 2006
Rev.P.B.Amolik ... Petitioner
versus
Rt.Rev.Bishop ... Respondent

Mrs.Gauri Jadhav for petitioners.
Mr.A.Y.Sakhare, Sr.Counsel with N.P.Gonsalves for respondent no.1.
Mr.P.I.Khemani, AGP for respondents 2 & 3.

CORAM : A.S.OKA, J.
DATE : 26th February 2007

PC :

1. There is no dispute between the parties that by order dated 22nd February 2007 identical

petitions being Writ Petition No.2616/2006 and 2617/2006 were rejected by this Court.

2. The learned counsel appearing for the petitioners, however, submits that while arguing the earlier petitions, one point was not argued. She submitted that the application which is allowed by the impugned order, could not have been heard on merits as no prayer was made for condonation of delay in applying the restoration.

3. The identical petitions have been dismissed confirming the similar orders on the ground that there is no failure of justice by passing orders of restoration. This Court has considered the fact that the extraordinary jurisdiction of this Court was invoked for challenging the orders which have effect of restoration of appeals which were admittedly dismissed for default. Therefore, there is no reason to take a different view from the view taken in order dated 22nd February 2007.

4. For the reasons recorded in the said order petitions are rejected.

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(A.S.OKA, J.)